

## REMARKS

In accordance with the foregoing, claim 1 has been amended. Claim 25 is withdrawn following the restriction request. Claims 1-24 and 26-28 are pending and under consideration.

Claim 1 has been amended herewith to clarify which elements of the system including a computer and user terminals executes each step of the method. No new matter has been added, the amended claim being fully supported by the originally filed specification and claims.

## CLAIM REJECTIONS UNDER 35 U.S.C. §102

In the Office Action, claims 1-24 and 26-28 were rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,487,600 to Lynch (hereinafter "Lynch").

In the Office Action at page 2, item 1, independent claims 1, 22, 23, and 24 are all rejected as a bundle, and the arguments in the Office Action are directed to the method recited in Claim 1. The designation-accepting step, the storing step, the information-accepting step and the distribution-condition-accepting step of the method recited in claim 1 are allegedly disclosed by same portions from Lynch (Col. 6, lines 1-67, Col. 8 lines 41-63, Col. 21, lines 28-40, Col. 22, lines 15-25, and Col. 32, lines 10-51). **There is no indication that Lynch discloses the first distribution step.** The distributee-candidate-determining step, the second distribution step and the distribution-catenating step are all rejected based on the same series of cited paragraphs (Col. 14, lines 49-59, Col. 40, lines 15-52, Col. 41, lines 24-62, and Col. 42, lines 1-27). The substantial amount of cited material is confusing and lacks the specificity necessary to an adequate rejection. Applicants submit that the rejection does not comply with 37 C.F.R. 1.104(c)(2) which states: "In rejecting claims for want of novelty or for obviousness, the examiner must cite the best references at his or her command. When a reference is complex or shows or describes inventions other than that claimed by the applicant, the particular part relied on must be designated as nearly as practicable. The pertinence of each reference, if not apparent, must be clearly explained and each rejected claim specified."

In the portions of Lynch ( Col. 14, lines 49-59, Col. 40, lines 15-52, Col. 41, lines 24-62, and Col. 42, lines 1-27), indicated as disclosing the distributee-candidate-determining step, the second distribution step and the distribution-catenating step, one may infer that one distribution step is inherently disclosed. However, Applicants respectfully submit that Lynch does not disclose the second distribution step and the distribution-catenating step in which a receiver of the distribution content further sends the received distribution content to other network members. None of the cited paragraphs of Lynch or the Lynch patent as a whole discloses anything similar

to the second distribution step and the distribution-catenating step, which iteratively repeats the second distribution step. Applicants consider that at least the distribution-catenating step, i.e., repetition of the second distribution step, in which the distribution content is sent from one user terminal to another user terminal distinguishes the present general inventive concept over Lynch. Independent claims 1, 22, 23, 24, and 26 patentable distinguish over the prior art, because Lynch does not teach or suggest the second distribution step and the distribution-catenating step or the elements performing these steps.<sup>1</sup>

Dependent claims 2-21 and 27-28 also distinguish over the applied prior art because the dependent claims include the patentable features of the independent claims. Furthermore the dependent claims also include additional patentable features. For example, referring to claim 3, in the Office Action it is alleged that "when a network member is not authenticated, he is not allowed to join the network and share the information with other members" of Lynch discloses the stoppage of the distribution-catenating of the present invention. However, because the distribution content is sent directly to the user in the present invention, whether or not a member joins a network does not affect the distribution of the content. Therefore the feature recited in claim 3 is not taught or suggested by Lynch.

## CONCLUSION

In light of the above arguments, Applicants traverse the rejections, submitting that Lynch fails to teach or suggest every feature recited in Applicants' claims, so that claims 1-24 and 26-28 are patentably distinct over the prior art. Accordingly, Applicants respectfully request reconsideration of the rejection based on Lynch.

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

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<sup>1</sup> See MPEP 2131: "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference," (Citations omitted) (emphasis added). See also MPEP 2143.03: "All words in a claim must be considered in judging the patentability of that claim against the prior art."

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If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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